

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Kelly Jackson Gibbs Jr.

Docket No. 4:15-CR-31-1H

Petition for Action on Supervised Release

COMES NOW Linwood E. King, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Kelly Jackson Gibbs Jr., who, upon an earlier plea of guilty to Conspiracy to Distribute and Possess With the Intent to Distribute 100 Grams or More of Heroin and a Quantity of Cocaine, in violation of 21 U.S.C. § 846; 21 U.S.C. § 841(b)(1)(B), was sentenced by the Honorable Malcolm J. Howard, Senior U.S. District Judge, on September 13, 2016, to the custody of the Bureau of Prisons for a term of 60 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 60 months.

Kelly Jackson Gibbs Jr. was released from custody on July 19, 2019, at which time his term of supervised release commenced.

On August 2, 2019, a violation report was filed notifying the court of the defendant testing positive for the use of marijuana.

On September 13, 2019, a violation report was filed notifying the court of the defendant testing positive for the use of marijuana.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On October 4, 2019, Gibbs submitted another urinalysis test which confirmed positive for the presence of marijuana. Gibbs has been directed to engage in substance abuse treatment at PORT, New Bern, North Carolina, in appropriate counseling sessions. To address this continued non-compliant behavior, and in an effort to deter future illegal drug use, we are recommending that the defendant be confined for 3 days in a facility designated by the Bureau of Prisons.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall be confined in the custody of the Bureau of Prisons for a period of 3 days, as arranged by the probation office and shall abide by all rules and regulations of the designated facility.

Except as herein modified, the judgment shall remain in full force and effect.

Kelly Jackson Gibbs Jr.
Docket No. 4:15-CR-31-1H
Petition For Action
Page 2

Reviewed and approved,

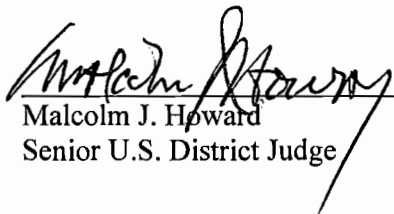
I declare under penalty of perjury that the foregoing
is true and correct.

/s/Michael C. Brittain
Michael C. Brittain
Supervising U.S. Probation Officer

/s/Linwood E. King
Linwood E. King
U.S. Probation Officer
310 New Bern Avenue, Room 610
Raleigh, NC 27601-1441
Phone: 919-861-8682
Executed On: October 7, 2019

ORDER OF THE COURT

Considered and ordered this 9th day of October, 2019, and ordered filed and
made a part of the records in the above case.


Malcolm J. Howard
Senior U.S. District Judge